

REMARKS

This paper is filed in response to the office action mailed on September 3, 2004. All claims have been cancelled in favor of new claims 57-73. Support for new claims 57-73 appears in Figure 2 and pages 10-17 of the application as filed. Applicants respectfully submit that new claims 57-73 are allowable over the art of record.

The office action rejects certain claims under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,671,745 ("Mathur") and other claims under 35 U.S.C. § 103 as being obvious in view of Mathur as a base reference and further in view of U.S. Patent No. 4,727,544 ("Brunner"), Brunner in view of U.S. Patent No. 5,791,851 ("Pascal"), Mathur alone or Mathur in view of Pascal.

In response, all claims have been canceled and applicants respectfully submit that new independent claims 58 and 71 are allowable over any hypothetical combination of Mathur and the secondary references, Brunner and Pascal.

Specifically, applicants respectfully submit that Mathur fails to teach or suggest the element of independent claims 58 and 71 and therefore the anticipation rejection is improper and, further, neither Brunner nor Pascal can supplement the deficiencies of Mathur in order to teach or suggest every element of independent claims 58 and 71 and therefore all of the obviousness rejections are improper as well.

Specifically, claims 58 and 71 require the operating system to comprise a separate operating system kernel and a system handler application, both of which are operable to link and load gaming programs shared objects and device handlers. Claims 58 and 71 also require the system handler application to comprise an application program interface that includes functions callable from the gaming program shared objects. Claims 58 and 71 also cite that the system handler application initiates the game.

In contrast, Mathur merely teaches an operating system with a kernel and a device manager but Mathur does not teach or suggest a relationship between an operating system kernel, a system handler application, the operating system and the shared objects and device handlers as recited in independent claims 58 and 71. Further, while Mathur does teach an API, Mathur does not teach or suggest a relationship between the API and the system handler and gaming program shared objects as recited by independent claims 58 and 71.

Therefore, Mathur is clearly deficient as a base reference and does not anticipate any of the pending claims 58-73.

Further, the combination of Mathur, Brunner and Pascal teaches or suggests the present invention as now claimed in independent claims 58 and 71 and therefore no hypothetical combination of Mathur, Brunner and Pascal renders any pending claim obvious under 35 U.S.C. § 103.

Specifically, the deficiencies of Mathur are discussed above. Brunner is merely cited for the proposition that it teaches a verification system. However, Brunner does not teach or suggest the complex relationship between the operating system, operating system kernel, system handler application, shared objects, device handlers and API recited in independent claims 58 and 71 and therefore no combination of Mathur and Brunner renders any pending claim obvious.

Similarly, Pascal is merely cited for the proposition that it teaches call back routines. Pascal is not cited for, nor does it disclose, the claimed relationship between the operating system, system handler application, operating system kernel, gaming program shared objects and device handlers as recited in independent claims 58 and 71. Therefore, no combination of Mathur, Brunner and Pascal teaches or suggests any pending claim.

In view of the cancellation of claims 1-57 and the introduction of new claims 58-73, applicants respectfully submit that this application is in a condition for allowance and an early action so indicating is respectfully requested.

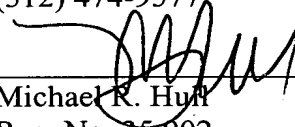
The Commissioner is authorized to charge any fee deficiency required by this paper, or credit any overpayment, to Deposit Account No. 13-2855.

Respectfully submitted,

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